



NEWS

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This is an unofficial announcement of Commission action. Release of the full text of a Commission order constitutes official action.
See MCI v. FCC, 515 F 2d 385 (D.C. Circ 1974).

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FCC ISSUES GUIDANCE ON IMPLEMENTATION OF WIRELESS-TO-WIRELESS LOCAL NUMBER PORTABILITY

Washington, D.C. – Today, the Federal Communications Commission (FCC) released an Order offering guidance to the industry on the implementation of wireless local number portability (WLNP). WLNP enables a consumer to change wireless service providers within a given location and keep the same phone number. Wireless carriers are required to make WLNP available to consumers in the top 100 Metropolitan Statistical Areas (MSAs) starting November 24, 2003. Today's Order solely addresses issues related to the implementation of wireless-to-wireless porting; the FCC plans to address pending issues related to wireline-to-wireless number portability at a later date.

Today's Order responds to a Petition for Declaratory Ruling filed by the Cellular Telecommunications & Internet Association (CTIA) on May 13, 2003, as well as issues raised by wireless carriers in response to a July 3, 2003 letter on WLNP implementation from the Chief of the Wireless Telecommunications Bureau to CTIA and Verizon Wireless.

The Order addresses and clarifies the following WLNP implementation issues:

First, the FCC held that wireless customers who port their numbers should have the same flexibility to switch carriers that non-porting customers have currently, even if they have not settled their account with the old carrier. Thus, while wireless carriers may include and enforce credit requirements, early termination fees, and similar contractual provisions in their customer agreements, carriers may not refuse to port numbers upon receipt of a valid request from the customer's new carrier.

Second, the FCC held that wireless-to-wireless porting does not require the wireless carrier receiving the number to be directly interconnected with the wireless carrier that gives up the number or to have numbering resources in the rate center associated with the ported number. Although wireless carriers may voluntarily negotiate interconnection agreements with one another, such agreements are not required for wireless-to-wireless porting. In cases where wireless carriers cannot reach an agreement on the terms and conditions of porting, they must port numbers upon receipt of a valid request, with no conditions.

Third, the FCC encouraged wireless carriers to complete simple ports within the industry-established porting interval of two and a half hours from the time the customer requests service from the new carrier. Although the Commission did not propose to adopt the industry standard as a mandatory rule, it found no evidence that the standard was technically infeasible, and stated that it would reexamine the issue if it received numerous consumer complaints about the length of the wireless porting process.

Action by the Commission, October 3, 2003, by Memorandum Opinion and Order (FCC 03-237).
Chairman Powell, Commissioners Abernathy, Copps, Martin, and Adelstein with Commissioner
Abernathy issuing a statement.

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